

Appl. No. 09/390,532
Amdt. dated January 24, 2005
Reply to Office Action of August 23, 2004

R E M A R K S

Reference to applicants' Summary(ies) of Interview(s) filed on January 7, 2005 and with certificate of Mailing dated November 23, 2004, respectively, attorney was of the understanding that the Examiner would make an Examiner's amendment canceling claims 1-5 leaving the allowed remaining claims 6-14 to proceed to allowance. The Examiner was holding up his action until scanning of the application was completed. Attorney called the Examiner several times and attorney was told each time that the application was still under scanning. On January 24, 2005 the Examiner called and requested a formal response. This accordingly response now cancels claims 1-5. The remaining allowed claims 6-14 remain allowed. No formal nor art rejection remains.

In the event there are further issues remaining in any respect the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Since the present claims set forth the present invention patentably and distinctly, and are not taught by the cited art either taken alone or in combination, this amendment is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, enter this amendment, and to allow all of the claims in this case.

Respectfully submitted
Stefan Schradl, et al

by: MARTIN A. FARBER
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the Amendment Upon Final Rejection is being facsimile transmitted to the Patent Office on January 24, 2005 (a Monday January 23, 2005 being a Sunday).

Signed by Martin A. Farber
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